

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #21-167

RESOLUTION APPROVING CODE ENFORCEMENT PROCESS AND HIRING OF A CONTRACTOR AT 17646 SAINT FRANCIS BLVD NW

WHEREAS, the property owner Angelia & Charles Lattery (the “Property Owners”) have an open code enforcement case on the property generally known as 17646 St. Francis Blvd NW and legally described as follows:

LOT 2 BLOCK 1 GREEN VALLEY ESTATES , EX RD SUBJ TO EASE OF REC, Anoka County, Minnesota

(the “Subject Property”); and

WHEREAS, the Subject Property is an owner-occupied property; and

WHEREAS, the Subject Property is zoned R-1 Residential (Rural Developing); and

WHEREAS, the Subject Property is approximately 2.5 acres in size; and

WHEREAS, there are documented City Code violations dating back to 2009 with notices of violation regarding outdoor storage, refuse and garbage, off-street parking, work without a permit, and accessory (hoop) buildings; and

WHEREAS, the City has most recently case from 2018 on the Subject Property for violations related to outdoor storage, refuse and garbage, off-street parking, and accessory (hoop) buildings; and

WHEREAS, the City sent a formal first notice of violation on July 10, 2018 for off street parking, outdoor storage of abandoned or inoperable vehicles, public nuisance, and work without a permit; and

WHEREAS, the City sent a formal first notice of violation on September 20, 2018 for accessory “hoop” buildings; and

WHEREAS, the City of Ramsey City Code would allow the Subject Property an accessory structure in accordance with Section 117-349 regarding accessory uses and buildings; and

WHEREAS, the residential off-street parking in the City Code prohibits the storing of more than eight (8) items on the Subject Property in the R-1 Rural Developing zoning district; and

WHEREAS, the City of Ramsey City Code would allow the Subject Property to properly store one (1) abandoned or inoperable vehicle in accordance with Section 117-355 regarding off

street parking; and

WHEREAS, the City of Ramsey City Code would allow the outdoor storage of items in accordance with Section 30-3 regarding property conditions constituting a public nuisance; and

WHEREAS, the Property Owners sent a letter disputing the violations on September 26, 2018, regarding their use of the accessory “hoop” building for screening; and

WHEREAS, the City of Ramsey Staff sent a corresponding letter on October 15, 2018 citing City Code definitions for various structure types; and

WHEREAS, the Property Owners sent a second letter disputing the violation on October 22, 2018; and

WHEREAS, the City Attorney sent the Property Owners a letter on January 11, 2019 confirming accessory “hoop” structures are prohibited by the City Code; and

WHEREAS, the Ramsey City Council approved Resolution #19-121 authorizing City Staff to obtain a search warrant should Property Owners not agree to voluntary inspection; and

WHEREAS, the City of Ramsey Staff sent a third notice of violation, on June 21, 2019 to the Subject Property with results from on-site inspection; and

WHEREAS, last correspondence of the violation was July 24, 2019 during an on-site inspection with the Property Owners when tensions escalated and City Staff removed themselves from the Subject Property.

FINDINGS OF FACT

1. The City most recently inspected the property from the road on:
 - a. August 8, 2018;
 - b. May 21, 2019;
 - c. April 1, 2020;
 - d. April 16, 2021; and
 - e. June 1, 2021.
2. The City inspected the property onsite with Property Owners on:
 - a. June 18, 2019; and
 - b. July 24, 2019.
3. The City sent formal notices via US Mail on:
 - a. September 20, 2018 for a first notice of violation requesting the Property Owner address the violations of off-street parking violations, outdoor storage, public nuisances, and siding work without a permit.
 - b. October 15, 2018 for a response to the letter from the Property Owners disputing violations on the property. The letter cited City Code definitions regarding a “hoop”

building as a prohibited accessory structure.

- c. January 11, 2019 by the City Attorney regarding clarification that a “hoop” building is not an allowed method of screening.
- d. June 21, 2019 for a third notice of violation requesting voluntary inspection or obtaining a search warrant by Resolution #19-121 for a full inspection of the property.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

That the Ramsey City Council hereby grants approval of the proposed code enforcement action plan on the Subject Property as outlined below, contingent upon verification of any violation(s) of City Code:

1. The City of Ramsey Staff shall hire and utilize contractor to remove hazardous building (“garage”).
2. The City of Ramsey Staff will schedule contractor for abatement of hazardous building for July 26, 2021.
3. The City of Ramsey Staff shall send a first letter of notice of violation on June 25, 2021 via certified mail with notice of abatement for hazardous building (garage). This will allow one month for the Property Owner to seek their own contractor.
4. The City of Ramsey Staff shall re-inspect from road on the week of July 12, 2021 and send a second letter of notice of violation with a \$75 citation via certified mail.
5. The City of Ramsey Staff shall re-inspect from road on the week of July 26, 2021 and send a third letter of notice of violation with \$250 citation via certified mail.
6. The City of Ramsey Staff shall utilize Northstar Towing and Reshetar Systems Inc. for abatement services per City policy.
7. The City of Ramsey Staff shall send abatement notice to the property on the week of August 9, 2021.
8. The City of Ramsey Staff shall schedule abatement for the week of August 16, 2021.
9. That the week of August 16, 2021, the City of Ramsey will work with the abatement contractors listed above to remove:
 - a. Vehicles, equipment, or outdoor storage items until at eight (8) items
 - i. Inoperable, non-license vehicle is included if stored outdoors
 - b. Refuse in the backyard and in driveway
 - c. Accessory “hoop” structures
 - d. Any inoperable, non-licensed vehicles until at one (1) on the property

10. That future violations within twelve (12) months of the same type will result in financial penalties and quicker escalation of violation notices.
11. That the City Council reserves the right to escalate future violations directly to District Court for Temporary Restraining Order.
12. That if the Property Owner misses one of the aforementioned deadlines, Staff has the approval to:
 - a. Reinspect the Subject Property and document all items out of compliance.
 - b. Issue an abatement notice for specific items outlined in step (a).
 - c. Abate the Subject Property of items and charge abatement back to Property Owner.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 22nd day of June, 2021.

Mayor

ATTEST:

City Clerk